

REMARKS

The Examiner stated in the Office action that the application contains claims directed to the following four patentably distinct species of the claimed invention:

- Species 1 - Shown in Fig. 1;
- Species 2 - Shown in Fig. 7;
- Species 3 - Shown in Fig. 13; and
- Species 4 - Shown in Fig. 16.

The requirement was therefore made that Applicant elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable. The Examiner then stated that currently no claim is generic.

In response, Applicant respectfully disagrees with the Examiner's position that the application contains claims directed to four patentably distinct species of the claimed invention and that there is no generic claim for the shield. However, Applicant provisionally elects Species 1, with transverse. The claims directed to Species 1 are claims 1-8, 17-19 and 21-26.

Applicant firstly submits that the independent claims of the instant application, namely claims 1, 18 and 23, are generic and cover all of the species that the Examiner has identified in the office action. Claims 1, 18 and 23, are directed to a shield that is attachable to a standardized plug by a connector means. These claims do not specify any type or shape of plug or shield and do not provide any limiting details as to the nature of the connector means. Applicant submits that they therefore cover any

differently shaped shield and any connector means for securing the shield to the electric plug. Applicant therefore respectfully submits that claims 1, 18 and 23 are in fact generic.

Applicant further respectfully submits that there are not four patentably distinct inventions claimed in the instant application, there are, at most, only two species of the invention. The essence of the instant invention is that a separate and attachable shield is provided, not that the shield has any specific shape. The shape of electric plugs is standardized in the industry and the attachable shield is configured to be complementary in shape to a standardized electric plug to which it is to be fitted. Any shape electric plug could be used and Applicant's invention specifies that a complementary shaped shield be provided for attachment to that particularly shaped electric plug. Applicant therefore submits that the shape of the plug to which the shield is to be connected should not be used as a factor in determining how many species of the invention are disclosed in this application. Applicant submits that at most two species of the invention are disclosed in this application and these species are delineated by the type of connector means provided to attach the shield to a plug. There would therefore be two species in the application, namely:

Species "A" - shown in Figs 1 and 7; and claimed in claims 1-12, 17-19 and 21-25; and

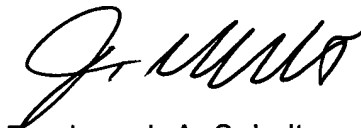
Species "B" - shown in Figs. 13 and 16; and claimed in claims 1-5, 9, 13-18, 20, 21 and 23-25.

Should the Examiner agree with Applicant's above position, then Applicant elects to

have Species "A" examined. If the Examiner maintains his original position, then Applicant elects to have the Examiner's Species 1 examined.

Respectfully submitted at Canton, Ohio this 15TH day of AUGUST, 2005.

SAND & SEBOLT

A handwritten signature in black ink, appearing to read "J. Sebolt", written in a cursive style.

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